

Message

---

**From:** Weaver, Kerryann [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=34F0A647F38A48D684B62F59A9143529-KWEAVER]  
**Sent:** 12/21/2016 8:27:26 PM  
**To:** Hingsberger, Thomas J CIV USARMY CEMVP (US) [thomas.j.hingsberger@usace.army.mil]  
**Subject:** RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Tom,

A couple of comments on the monitoring plan for your consideration.

1) The monitoring report indicates MPCA 401 Certification has a condition requiring wetland hydrology and vegetation monitoring. The 401 Certification also includes the following: "3) Additional wetland Impacts: Any additional wetland impacts to the 72.5 acres of wetlands within the 225 acre Western Seepage Collection Project area, beyond the 5.75 acres already identified for direct and indirect wetland impacts, shall require additional mitigation." In order to determine these additional impacts, it would seem USS needs to monitor vegetation and hydrology of the 72.5 acres of wetlands within the 225 acre Western Seepage Collection Project area and work with the Corps to establish thresholds in order to determine changes which might require additional mitigation. The current monitoring plan only addresses that may be indirectly impacted by the project.

2) Consideration should be given to monitoring hydrology throughout the year, perhaps taking monthly measures outside the growing season.

5) Sample points: consideration should be given to having an additional sampling point within wetlands 10A and 13D given the extent of the sheet pilings and seeps in sub-catchment 2.

6) Additional information is needed regarding the 2 reference wetlands mentioned in the plan; specifically their proximity to the site. Given the lack of historic data, comparison of the sampled wetlands against additional reference wetlands further from the site would be informative in determining any adverse, indirect impacts that may occur as a result of the project.

Thanks for the opportunity to comment, if you have any questions feel free to contact me.  
Kerryann

-----Original Message-----

**From:** Hingsberger, Thomas J CIV USARMY CEMVP (US) [mailto:thomas.j.hingsberger@usace.army.mil]  
**Sent:** Monday, December 12, 2016 4:31 PM  
**To:** Weaver, Kerryann <weaver.kerryann@epa.gov>  
**Subject:** RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

I got the monitoring plan last week and I still need to review that. I think the DNR is awaiting final plans and specs as well.  
The monitoring plan is attached.

Tom

-----Original Message-----

**From:** Weaver, Kerryann [mailto:weaver.kerryann@epa.gov]  
**Sent:** Monday, December 12, 2016 1:52 PM  
**To:** Hingsberger, Thomas J CIV USARMY CEMVP (US) <thomas.j.hingsberger@usace.army.mil>  
**Subject:** [EXTERNAL] RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Tom,  
It's been about a month, just wanted to follow up, anything new to report? Can we review the wetland monitoring plan when it becomes available?  
Thanks,  
Kerryann

-----Original Message-----

**From:** Weaver, Kerryann  
**Sent:** Tuesday, November 15, 2016 10:44 AM  
**To:** Hingsberger, Thomas J CIV USARMY CEMVP (US) <thomas.j.hingsberger@usace.army.mil>  
**Subject:** RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Thanks Tom. Please keep me posted.

-----Original Message-----

**From:** Hingsberger, Thomas J CIV USARMY CEMVP (US) [mailto:thomas.j.hingsberger@usace.army.mil]

Sent: Tuesday, November 15, 2016 10:39 AM  
To: Weaver, Kerryann <weaver.kerryann@epa.gov>  
Subject: RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

The DNR and Corps are awaiting final plans and specifications from USS for this project and I'm waiting to see if there are any changes.  
I've also asked them to prepare and include a wetland monitoring plan.

Tom

-----Original Message-----

From: Weaver, Kerryann [mailto:weaver.kerryann@epa.gov]  
Sent: Thursday, November 10, 2016 12:59 PM  
To: Hingsberger, Thomas J CIV USARMY CEMVP (US) <thomas.j.hingsberger@usace.army.mil>  
Subject: [EXTERNAL] RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Hi Tom,  
Just wanted to follow up with you on this. I believe we talked about this in mid-July but just wanted to see if you had new information or just a status update.  
Thanks,  
Kerryann

-----Original Message-----

From: Weaver, Kerryann  
Sent: Wednesday, July 20, 2016 9:06 AM  
To: Hingsberger, Thomas J MVP <thomas.j.hingsberger@usace.army.mil>  
Subject: FW: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

FYI

-----Original Message-----

From: Weaver, Kerryann  
Sent: Wednesday, July 13, 2016 9:29 AM  
To: 'Cox, Benjamin R MVP' <Benjamin.R.Cox@usace.army.mil>  
Cc: Wendy Melgin <Melgin.Wendy@epa.gov>  
Subject: RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Ben,  
Just following up, can you provide us a status update on this project?

Although US Steel has provided responses to our comments, we do not believe our comments have been adequately addressed. They should use existing in-kind bank credits within the watershed of impact and only use the Palisades III bank credits for any remaining balance. That said, since the time of their response, additional in-kind credits may have been released from another bank in the watershed of impact and that should be considered. Further, US Steel has still not provided adequate data which justifies their assertion that the east side of the Minntac Tailings Basin provides significant water quality improvement to downstream surface waters. And they have not indicated whether the required monitoring under the 401 Certification will require monitoring of adjacent wetlands to determine any impacts on hydrology due to the installation of the sheet pilings.  
Again, we believe our comments have not been adequately addressed. We hope to hear from you soon.

Thanks,  
Kerryann

-----Original Message-----

From: Weaver, Kerryann  
Sent: Friday, July 08, 2016 9:37 AM  
To: 'Cox, Benjamin R MVP' <Benjamin.R.Cox@usace.army.mil>  
Subject: FW: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Ben,  
Is Tom still in regulatory? Voicemail message sounded like he might have switched positions. Can you update me on the status of this project?  
Thanks,  
Kerryann

-----Original Message-----

From: Weaver, Kerryann  
Sent: Thursday, June 30, 2016 12:12 PM  
To: 'Hingsberger, Thomas J MVP' <thomas.j.hingsberger@usace.army.mil>  
Cc: Brist, Jim (MPCA) <jim.brist@state.mn.us>  
Subject: RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Tom,  
Just an FYI, I am just receiving this now. Your email went to my spam folder. I will review after the holiday and then I would like to follow up with you on the Corps status as it relates to this project.

Thanks,  
Kerryann

-----Original Message-----

From: Hingsberger, Thomas J MVP [mailto:thomas.j.hingsberger@usace.army.mil]  
Sent: Monday, June 20, 2016 7:41 AM  
To: Weaver, Kerryann <weaver.kerryann@epa.gov>  
Cc: Allen, Colleen (DNR) <Colleen.Allen@state.mn.us>; 'Brist, Jim (MPCA)' <jim.brist@state.mn.us>  
Subject: RE: 2014-01247-TJH - 401 Certification for US Steel Corp. Dark River Seepage Collection System

Kerryann,

Attached are copies of the EPA comments and comment responses from USS.

Tom Hingsberger  
Regulatory Project Manager, NW Section  
Corps of Engineers, St. Paul District  
180 East Fifth Street, Suite 700  
St. Paul, MN 55101-1638  
Phone: 651-290-5367  
Fax: 651-290-5330  
Email: thomas.j.hingsberger@usace.army.mil  
BlockedBlocked<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>

Corps of Engineers urges early planning for permits:  
BlockedBlocked<http://www.mvp.usace.army.mil/Media/NewsReleases/tabid/9473/Article/23557/corps-of-engineers-urges-early-planning-for-permits.aspx>